

**SUPREME COURT MINUTES
THURSDAY, AUGUST 28, 2003
SAN FRANCISCO, CALIFORNIA**

S035769

PEOPLE v. HEARD (JAMES M.)

Opinion filed:

The judgment is affirmed as to the guilt verdicts and the special circumstance findings, but is reversed as to the sentence of death. The case is remanded to the trial court for a new penalty trial before a properly selected jury.

Majority Opinion by George, C.J.
--- joined by Kennard, Werdegarr, and Moreno, JJ.
Concurring and Dissenting Opinion by Brown, J.
--- joined by Baxter, J. and Chin, J.

S105735

H021239 Sixth Appellate District

KAHN v. EAST SIDE UNION HIGH SCHOOL DIST.

Opinion filed: Judgment reversed

and the matter is remanded for further proceedings consistent with this opinion.

Majority Opinion by George, C.J.
--- joined by Baxter, Chin, Brown and Moreno JJ.
Concurring Opinion by Werdegarr, J.,
Concurring and Dissenting Opinion by Kennard, J.

S015384

PEOPLE v. LETNER & TOBIN

Extension of time granted

to November 7, 2003 to file appellant LETNER'S opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension granted based upon counsel R. Clayton Seaman's representation that he anticipates filing the brief by 1-5-2004.

S029588

PEOPLE v. RICHARDSON (CHARLES)
Extension of time granted

to November 7, 2003 to file appellant's opening brief. The court anticipates that after that date, only 2 further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S078664

PEOPLE v. AVILA (JOSEPH)
Extension of time granted

to October 27, 2003 to file appellant's opening brief. The court anticipates that after that date, only 2 further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S114551

STEELE (RAYMOND) ON H.C.
Extension of time granted

to September 5, 2003 to file traverse. After that date, no further extension will be granted. Extension granted based upon counsel Gregory Marshall's representation that he anticipates filing the pleading by 9-5-2003.

S115061

CLARK (DOUGLAS DANIEL) ON H.C.
Extension of time granted

to September 29, 2003 to file reply to informal response. After that date, no further extension is contemplated. Extension granted based upon counsel Michael S. Magnuson's representation that he anticipates filing the document by 9-28-2003.

S115428

KELLY (HORACE) ON H.C.
Extension of time granted

to October 3, 2003 to file informal response.
After that date, no further extension is
contemplated. Extension granted based upon
Deputy Attorney General Sara Gros-Cloren's
representation that she anticipates filing the
document by 10-3-2003.

S115483

KELLY (HORACE EDWARDS) ON H.C.
Extension of time granted

to October 3, 2003 to file informal response.
After that date, no further extension is
contemplated. Extension granted based upon
Deputy Attorney General Sara Gros-Cloren's
representation that she anticipates filing the
document by 10-3-2003.

S118232

IN THE MATTER OF SUSPENSION OF
ATTORNEYS FOR NONPAYMENT OF FEES
UNDER THE STATE BAR ACT
Suspension for non-payment of dues ordered

The Board of Governors of the State Bar of
California having filed, on the 14th day of
August 2003 in this Court, its resolution
recommending suspension from the practice of
law and membership in the State Bar of
California, the attached list of members who
failed to pay fees and/or penalties and/or costs
as prescribed and required by law, and after due
notice was sent to each member and demand for
payment was made by the State Bar of
California, and it being provided by Business
and Professions Code section 6143 that any
member so failing to pay must be suspended
from membership;

IT IS ORDERED that each person hereinafter
named is suspended from membership in the
State Bar of California and from the rights and
privileges of an attorney to practice law as of
September 16, 2003, and until payment of all

current and accrued fees and/or penalties and/or costs is made.

IT IS FURTHER ORDERED that upon payment in certified funds of all current and accrued fees and/or penalties and/or costs, the suspension for nonpayment shall terminate and such person may be fully restored to membership in the State Bar of California and to all rights and privileges, duties and responsibilities incident thereto.

IT IS FURTHER ORDERED that until restored to full membership, each of the persons named in the suspension list shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding oneself out to the public as an attorney or counselor at law.

(List of Names Attached to Original Order

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF THE
COMMITTEE OF BAR EXAMINERS OF THE
STATE BAR OF CALIFORNIA FOR ADMISSION
OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO
ORIGINAL ORDER)

B164647 Second Appellate District

SUZAN HUGHES v. CONRAD LEE KLEIN et al.
Transfer Order

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred to the Court of Appeal, First Appellate District.

**SUPREME COURT CALENDAR
LOS ANGELES SESSION
OCTOBER 8 and 9, 2003**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on October 8 and 9, 2003.

WEDNESDAY, OCTOBER 8, 2003 – 9:00 A.M.

IN MEMORIAM – HON. DAVID N. EAGLESON
Associate Justice, California Supreme Court (1987-1991)

S100099 In re Qawi on Habeas Corpus
S099131 People, ex rel., Orloff, as District Attorney v. Pacific Bell

2:00 P.M.

S108309 People v. Edaleene Smith
S107792 Eastburn v. Regional Fire Protection Authority
S026872 People v. Alfredo Valdez (Automatic Appeal)

THURSDAY, OCTOBER 9, 2003 – 9:00 A.M.

S105483 Mulder v. Pilot Air Freight
S105909 Hagberg v. California Federal Bank
S103942 Betancourt v. Storke Housing

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.